

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. P03002US1A; 295620-214153

|                 |                                 |   |                          |
|-----------------|---------------------------------|---|--------------------------|
| Group Art Unit: | 1711                            | ) |                          |
|                 |                                 | ) |                          |
| Examiner:       | Asinovsky                       | ) |                          |
|                 |                                 | ) |                          |
| Inventor:       | Wang, et al.                    | ) | <b>Declaration Under</b> |
|                 |                                 | ) | <b>37 C.F.R. § 1.132</b> |
| Serial No.:     | 10/791,049                      | ) |                          |
|                 |                                 | ) |                          |
| Filed:          | March 2, 2004                   | ) |                          |
|                 |                                 | ) |                          |
| For:            | Method of Making Nano-Particles | ) |                          |
|                 | of Selected Size Distribution   | ) |                          |

Sir:

This Declaration is submitted to establish that the claims of the instant application and the relevant subject matter of U.S. Pat. No. 6,956,084 and U.S. Pat. No. 6,875,818 was derived from the same inventors, and thus the current claims are not an invention "by another." U.S. Pat. No. 6,956,084 and U.S. Pat. No. 6,875,818 were cited by the Examiner in an Office Action dated October 6, 2008.

We, the undersigned, declare:

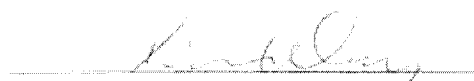
1. Xiaorong Wang and Victor Foltz are the named inventors of the instant application.

2. Xiaorong Wang, Chenchy Jeffrey Lin, James Hall, Sandra Warren, James Krom, Hajime Kondo, and Koichi Morita are the named inventors of U.S. Pat. No. 6,956,084.


3. Xiaorong Wang is the named inventor of U.S. Pat. No. 6,875,818.

4. The portions of U.S. Pat. No. 6,956,084 and U.S. Pat. No. 6,875,818 that are relevant to the claims of the current application that were disclosed but not claimed in U.S. Pat. No. 6,956,084 and U.S. Pat. No. 6,875,818 originated from Xiaorong Wang and Victor Foltz.

5. We hereby declare that all statements made herein are of our own knowledge and are true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued.

  
Xiaorong Wang

Date: 12-10-08

  
Victor Foltz

Date: 12-10-08